

Authority: Toronto and East York Community Council
Item TE10.8, as adopted by City of Toronto Council on
February 6 and 7, 2024
City Council voted in favour of this by-law on July 25,
2024
Written approval of this by-law was given by Mayoral
Decision 17-2024 dated July 25, 2024

CITY OF TORONTO

BY-LAW 853-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 83, 85-89 Queen Street East and 119, 125 and 127 Church Street.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of CR 4.0 (c2.0; r4.0) SS1 (x2254) to CR 4.0 (c2.0; r4.0) SS1 948 as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number 948 so that it reads:

(948) **Exception CR** (948)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On lands municipally known as 83, 85-89 Queen Street East and 119, 125, and 127 Church Street, if the requirements of By-law 853-2024 are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (X) below;

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 86.78 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law 853-2024;
- (D) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.0 metres;
- (E) Despite Provision (D) above, the required minimum height of the first **storey** does not apply to a **heritage site**;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 853-2024:
 - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, elevator shafts, and vents, by a maximum of 11.5 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 11.5 metres;
 - (iii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, architectural features, parapets, and elements and **structures** associated with a roof or **green roof**, by a maximum of 3.0 metres;
 - (iv) roof access, maintenance equipment storage, chimneys, lightning rods, **building** maintenance units and window washing equipment, and structures that enclose, screen or cover the equipment, by a maximum of 3.0 metres;
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres; and
 - (vi) elements listed in (iii) and (iv) above may project beyond the permitted maximum height of a mechanical penthouse as set out in (ii) above by a maximum of 3.0 metres;
- (G) Despite Regulation 40.10.40.1(1), residential use portions of the **building**, other than **dwelling units**, are permitted to be located on the same level as non-residential use portions of the **building**;

- (H) Despite Regulation 40.10.40.1(2)(A), the floor level of the first **storey** must be within 0.4 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance;
- (I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 43,550 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 43,550 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 400 square metres;
- (J) In addition to the **gross floor area** deductions listed in Regulation 40.5.40.40(3), the **gross floor area** of a **building** is also reduced by the area in the **building** used for:
 - (i) storage rooms, electrical, utility, mechanical and ventilation rooms at or above-ground; and
 - (ii) hallways, elevator vestibules, storage rooms containing **bicycle parking spaces**, and garbage rooms in the **basement**;
- (K) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) a minimum of 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) a minimum of 1.2 square metres of outdoor **amenity space** for each **dwelling unit**; and
 - (iii) indoor **amenity space** may include guest suites that do not exceed an aggregate **gross floor area** of 100 square metres;
 - (a) for the purposes of this exception, guest suites do not constitute **dwelling units**;
- (L) Regulation 40.10.40.50(2) with respect to **amenity space** for **buildings** with non-residential uses does not apply;
- (M) Despite Regulations 40.10.40.70(1), 40.5.40.70(1), and 600.10.10(1), the required minimum **building setbacks** and **building setbacks** from a **lane** are as shown in metres on Diagram 3 of By-law 853-2024;
- (N) Despite Clause 40.10.40.60 and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- (i) planters, light fixtures, ornamental elements, art and landscape features, **landscaping**, public art, site servicing features, by a maximum of 3.0 metres;
 - (ii) balconies and balcony guards and dividers, by a maximum of 2.0 metres; and
 - (iii) despite (ii) above,
 - (a) balcony encroachments into the required minimum **building setbacks** are not permitted on the elevations labelled as "No Balcony Zone" on Diagram 4 of By-law 853-2024; and
 - (b) juliette balconies are permitted to encroach on the elevations labelled as "No Balcony Zone" on Diagram 4 of By-law 853-2024 by a maximum of 0.4 metres;
 - (iv) canopies and awnings, and all vertical extensions of such awnings and canopies, lighting fixtures, and architectural features, by a maximum of 2.0 metres; and
 - (v) eaves, roof drainage, light fixtures, parapets, window washing equipment, architectural flutes, window projections, and window sills, by a maximum of 1.0 metre;
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) no residential occupant **parking spaces** are required;
 - (ii) a minimum of 0.01 **parking spaces** for each **dwelling unit** for residential visitors; and
 - (iii) no **parking spaces** are required for non-residential uses;
- (P) Despite Regulation 200.5.1.10(2), for a **parking space** accessed by a **drive aisle** with a width of less than 6.0 metres, the minimum dimensions of a **parking space** are:
- (i) length of 5.6 metres;
 - (ii) width of 2.6 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (Q) Despite Regulations 200.5.1.10(2)(A)(iv) and (D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment, does not constitute an obstruction to a **parking space**;

- (R) Despite Clause 200.15.10.10 a minimum of 1 accessible **parking space** must be provided;
- (S) Despite Regulations 200.15.1(1) to (4), accessible **parking spaces** must be provided in accordance with the following:
 - (i) an accessible **parking space** must have the following minimum dimensions:
 - (a) width of 3.4 metres;
 - (b) length of 5.6 metres; and
 - (c) vertical clearance of 2.1 metres;
 - (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path on one side of the accessible **parking space**; and
 - (iii) accessible **parking spaces** must be within 30 metres of a barrier free entrance to a **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (T) Despite Regulations 230.5.1.10(9) and (10), and Clause 230.40.1.20, "long-term" and "short-term" **bicycle parking spaces** may be:
 - (i) located in any combination of vertical, horizontal or stacked positions;
 - (ii) located outdoors or indoors in a secure or enclosed room or enclosure on any floor up to and including the mezzanine above the 1st floor of the **building** or any floor below ground level; and
 - (iii) located more than 30 metres from a pedestrian entrance;
- (U) Despite Regulations 230.5.1.10(4), a **stacked bicycle parking space** must have the following minimum dimensions:
 - (i) width of 0.225 metres;
 - (ii) length of 1.2 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (V) Despite Regulations 220.5.10.1(1) to (3), a minimum of one Type "G" **loading space** must be provided;

- (W) Despite Regulation 230.5.10.1(5), a minimum of 1.0 **bicycle parking spaces** for each **dwelling unit** are required to be provided and maintained on the **lot**, allocated as:
- (i) 0.9 "long-term" **bicycle parking space** per **dwelling unit**; and
 - (ii) 0.1 "short-term" **bicycle parking space** per **dwelling unit**;
- (X) The provision of **dwelling units** is subject to the following:
- (i) A minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) An additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to two and three bedroom units through the use of accessible or adaptable design measures;
 - (iv) Any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (v) If the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number; and,
 - (vi) The calculation of **dwelling units** in (X), shall not include any units that are being provided for the purposes of rental replacement.

Prevailing By-laws and Prevailing Sections: (None Apply)

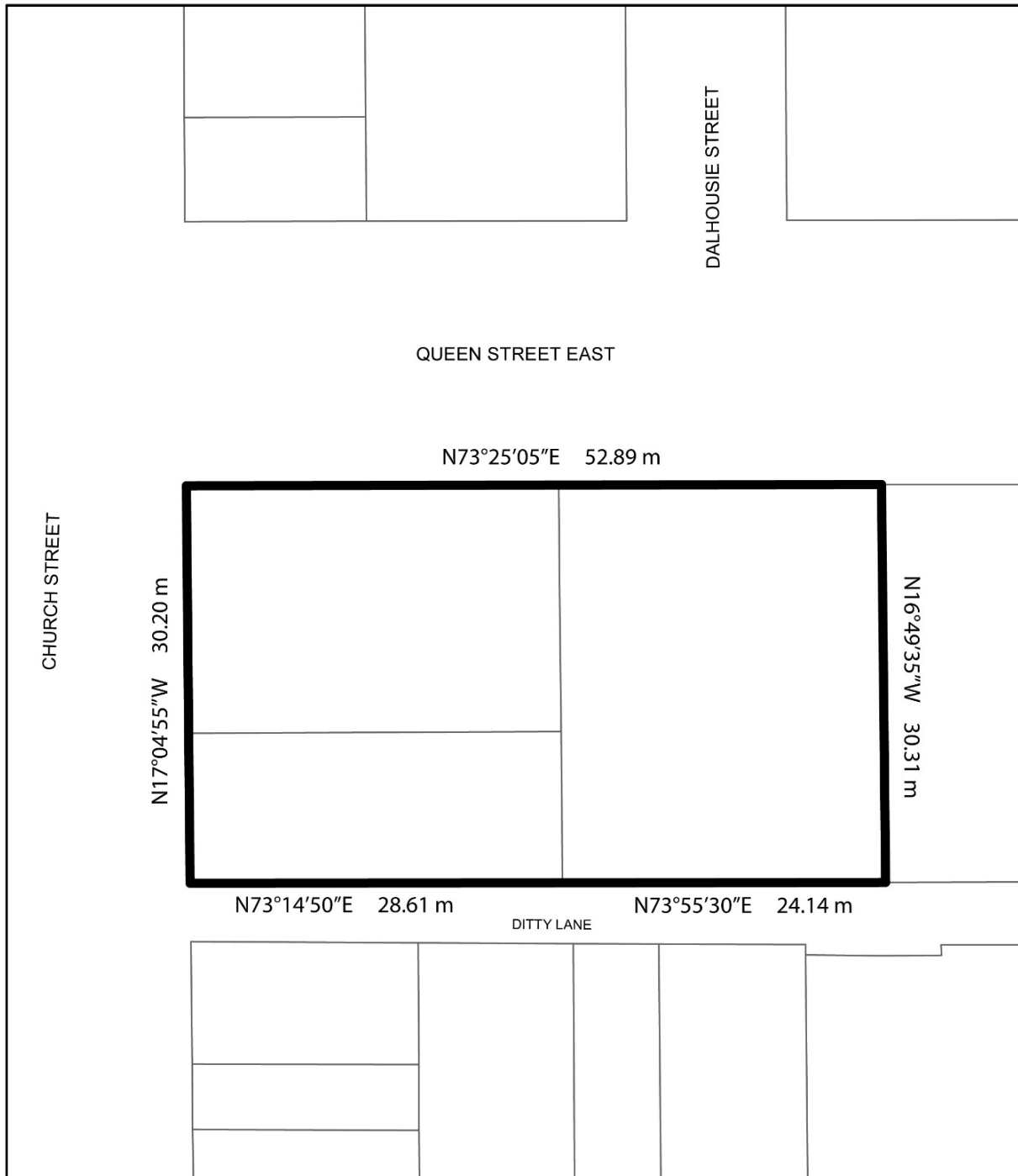
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on July 25, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

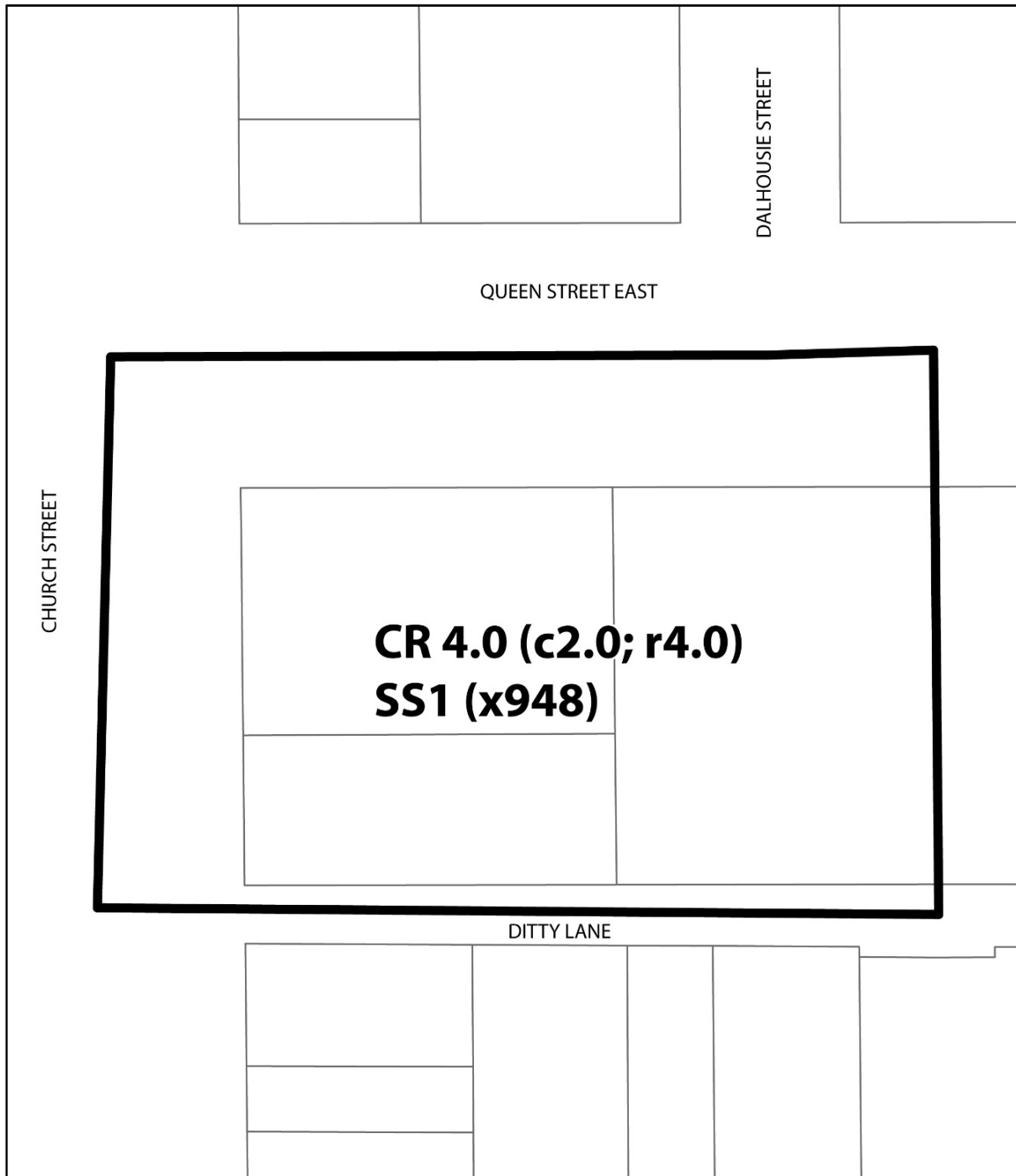
Diagram 1

Toronto
Diagram 1

**83, 85-89 Queen Street East
and 119, 125 & 127 Church Street**

File # 22 186084 STE 13 0Z

Diagram 2



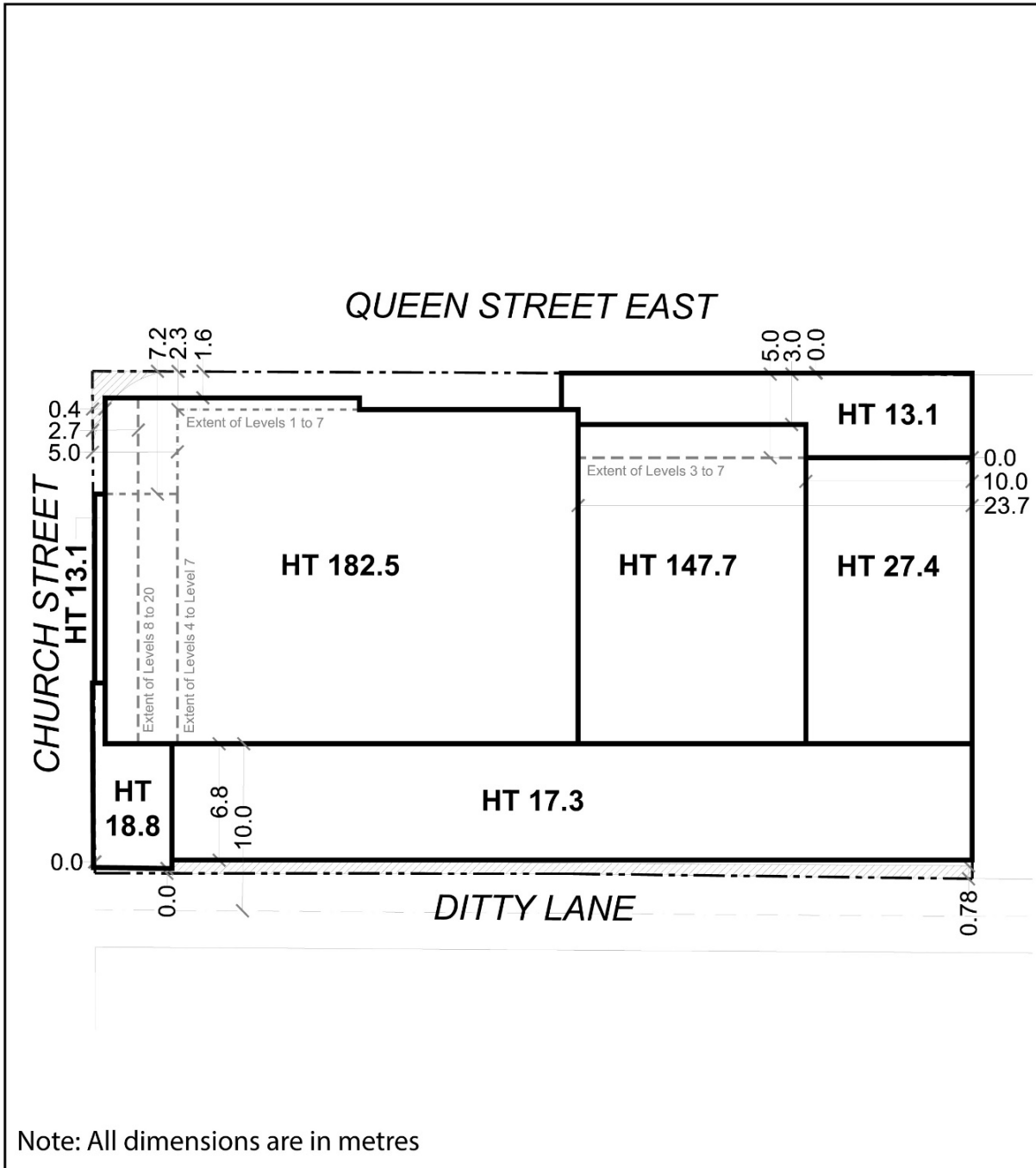
 **TORONTO**
Diagram 2

**83, 85-89 Queen Street East
and 119, 125 & 127 Church Street**

File # 22 186084 STE 13 0Z



Diagram 3



 **Toronto**
Diagram 3

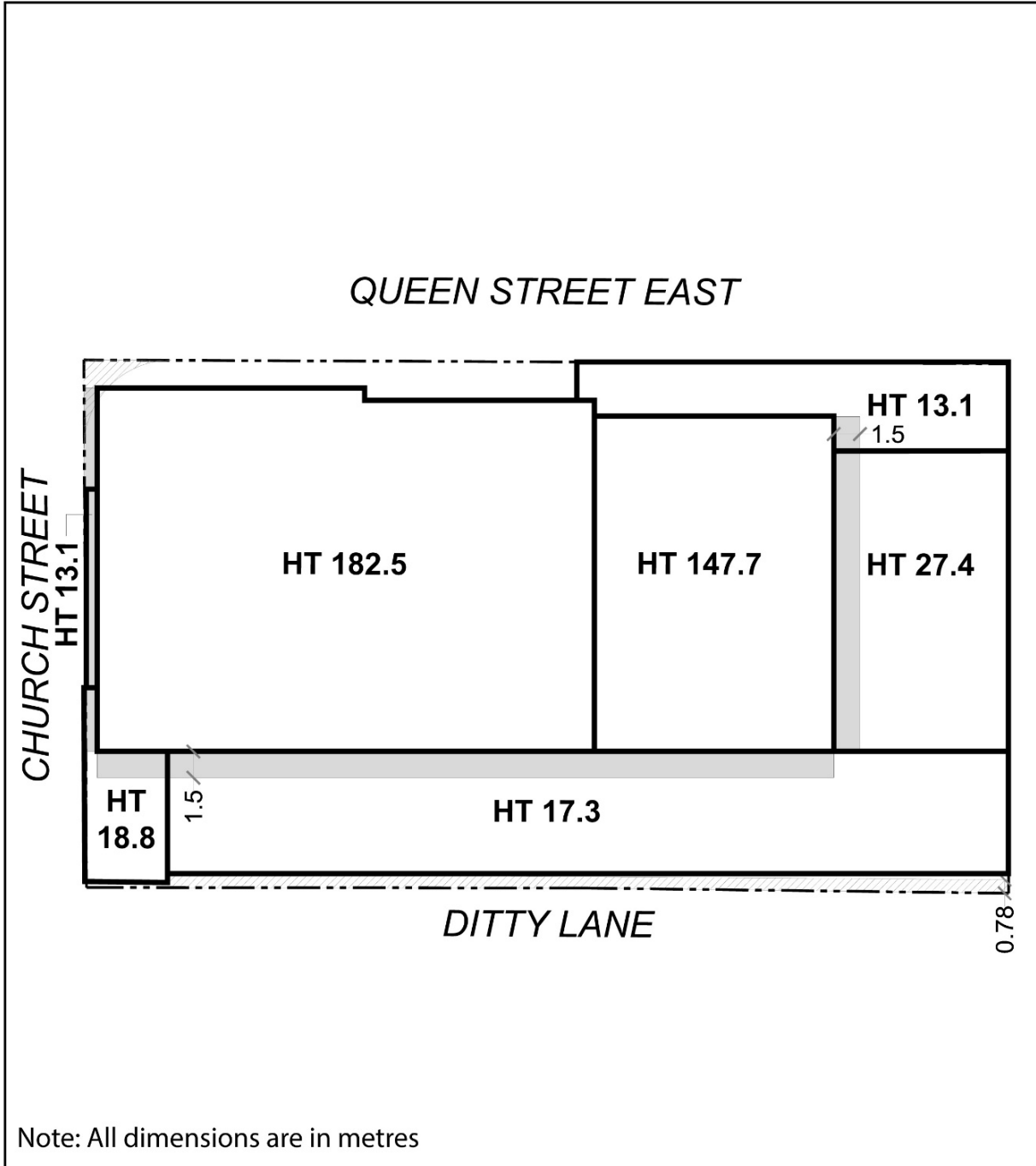
83, 85-89 Queen Street East
and 119, 125 & 127 Church Street

File # 22 186084 STE 13 02

 Road Widening


City of Toronto By-law 569-2013
Not to Scale
02/16/2024

Diagram 4




 **TORONTO**
Diagram 4

83, 85-89 Queen Street East
and 119,125 & 127 Church Steet

File # 22 186084 STE 13 0Z

 **No Balcony Zone**
 **Road Widening**


City of Toronto By-law 569-2013
Not to Scale
02/16/2024